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United States District Court
Central District of California
Western Division

MARTIN VARGAS ARELLANO,
Petitioner,
v.
CHAD T. WOLF, *et al.*,
Respondents.

CV 20-00627 TJH (GJSx)

Order

The Court has considered the application for a temporary restraining order seeking immediate release, filed in connection with a petition for a writ of *habeas corpus*, pursuant to 28 U.S.C. § 2241, challenging the conditions of confinement, by Petitioner Martin Vargas Arellano, together with the moving and opposing papers.

Petitioner is, currently, detained at the Adelanto Detention Center [“Adelanto”], in San Bernardino County, which is within the Central District of California. Petitioner asserts that, in light of the COVID-19 pandemic, the conditions of his confinement are, now, unconstitutional. Petitioner has a history of various criminal convictions, but he has completed his criminal sentences and is, now, a civil detainee.

The Court incorporates by reference into this order the factual and legal grounds supporting emergency injunctive relief, namely, immediate release, set forth in the

1 Court's orders issued in *Castillo v. Barr*, CV 20-00605-TJH (AFMx)(C.D. Cal. Mar.
2 27, 2020), ECF No. 32; and *Hernandez v. Wolf*, CV 20-60017-TJH (KSx)(C.D. Cal.
3 Apr. 1, 2020), ECF No. 17.

4 Based on the incorporated factual and legal grounds, and the facts and arguments
5 presented, here,

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7 **It is Ordered** that the application for a temporary restraining order be, and
8 hereby is, **Granted**.

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10 **It is further Ordered** that Respondents shall, by 5:00 p.m. on April 3, 2020,
11 release Petitioner Martin Vargas Arellano from custody pending further order of this
12 Court, and subject to the following conditions of release:

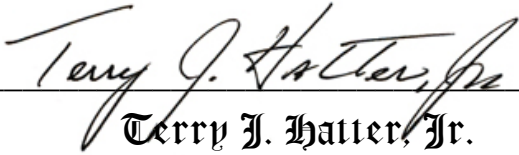
- 13 1. Petitioner shall reside, and shelter in place, at the Echo Park Community
14 Center, located at 303 Patton Street, Los Angeles, California 90026, as
15 arranged by Petitioner's counsel.
- 16 2. Petitioner's counsel shall arrange for Petitioner's transportation from the
17 Adelanto Detention Center to the Echo Park Community Center;
- 18 3. Petitioner shall not leave the Echo Park Community Center, pending
19 further order of the Court, except to obtain food or medical care;
- 20 4. Petitioner shall not violate any federal, state or local laws;
- 21 5. Petitioner shall not use or possess illegal drugs; and
- 22 6. At the discretion of DHS and/or BICE, to enforce the above restrictions,
23 Petitioner's whereabouts may be monitored by telephonic and/or electronic
24 and/or GPS monitoring and/or a location verification system and/or an
25 automated identification system.

26
27 **It is further Ordered** that Respondents shall show cause, if they have any, as
28 to why the Court should not issue a preliminary injunction in this case. Respondents'

1 response, if any, to this order to show cause shall be filed by Noon on April 9, 2020.
2 Petitioner's reply, if any, to Respondents' response shall be filed by Noon on April 14,
3 2020. The matter will then stand submitted.

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Date: April 2, 2020



Terry J. Hatter, Jr.
Senior United States District Judge